

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Decision by Court. This action came before this Court for ruling as follows.

IT IS ORDERED, ADJUDGED, AND DECREED that the court GRANTS IN PART Wal-Mart's motion to dismiss for lack of subject matter jurisdiction and failure to state a claim [D.E. 27], GRANTS Wal-Mart's motion to dismiss for failure to join the real party in interest [D.E. 31], GRANTS IN PART Wal-Mart's motion for summary judgment regarding judicial estoppel and DENIES AS MOOT the remainder of the motion [D.E. 34], DENIES AS MOOT Wal-Mart's motions to disqualify Emanuel & Dunn [D.E. 27] and to exclude Laura Juel's expert testimony [D.E. 54], and DENIES AS MOOT Cannon's motion for extension of time for discovery and for additional depositions [D.E. 29]. Wal-Mart may file a motion for costs in accordance with the Federal Rules of Civil Procedure and this court's local rules.

This Judgment Filed and Entered on September 10, 2021, and Copies To:

Stephen A. Dunn (via CM/ECF electronic notification)
S. Michael Dunn (via CM/ECF electronic notification)
Julie Kerr Adams (via CM/ECF electronic notification)

DATE: PETER A. MOORE, JR., CLERK
September 10, 2021 (By) /s/ Nicole Sellers
Deputy Clerk